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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**DRAFT AMENDMENTS**

**TO THE CONSTITUTION OF ARMENIA**

**(Approved on 20.08.2015 in the sitting of  
the Specialized Commission on Constitutional Reforms  
adjunct to the President of the Republic of Armenia)**

**DRAFT**  
**OF CONSTITUTIONAL AMENDMENTS**  
**(Approved on 20.08.2015 in the sitting of the Specialized**  
**Commission on Constitutional Reforms adjunct to the President of**  
**the Republic of Armenia)**

The Armenian People, accepting as a basis the fundamental principles of Armenian statehood and pan-national aspirations enshrined in the Declaration on the Independence of Armenia, having fulfilled the sacred behest of its freedom-loving ancestors to restore the sovereign state, dedicated to the strengthening and prosperity of the fatherland, with the aim of ensuring the freedom, general well-being, and civic cohesion of the generations, and affirming its commitment to universal values, adopts the Constitution of the Republic of Armenia.

**Chapter 1.**  
**THE FOUNDATIONS OF CONSTITUTIONAL ORDER**

**Article 1**

The Republic of Armenia is a sovereign, democratic, and social state governed by the rule of law.

**Article 2**

In the Republic of Armenia, the power belongs to the people.

The people shall exercise its power through free elections, referenda, as well as through state and local self-government bodies and officials prescribed by the Constitution.

Usurpation of the power by any organization or individual shall be a crime.

***Article 3. The human being, his dignity, and fundamental rights and freedoms***

1. The human being shall be the supreme value in the Republic of Armenia. The inalienable dignity of the human being shall be the integral basis of his rights and freedoms.

2. The protection and the respect for the fundamental rights and freedoms of the human being and the citizen shall be the duty of the public power.

3. The public power shall be bound by fundamental rights and freedoms of the human being and the citizen as the directly applicable law.

***Article 4. The Principle of Separation and Balance of the Powers***

State power shall be exercised in accordance with the Constitution and the laws, based on the separation and balance of the legislative, executive, and judicial powers.

***Article 5. The Hierarchy of Legal Norms***

1. The Constitution shall have supreme legal force. Laws shall conform to the Constitution and constitutional laws and sub-legislative legal acts shall conform to the Constitution, constitutional laws and laws.

2. The peremptory norms of general international law shall have priority over the laws. If a ratified international treaty provides norms that differ from those provided by laws, then the treaty norms shall be applied.

***Article 6. The Principle of Legality***

1. State and local self-government bodies and officials shall have the power to perform only such acts for which they are empowered by the Constitution or laws.

2. Bodies foreseen by the Constitution, based on the Constitution and laws and with the purpose of ensuring their implementation, may be authorized by the law to adopt sub-legislative normative legal acts. Authorizing norms shall comply with the principle of legal certainty.

3. Laws and sub-legislative normative legal acts shall come into force after being duly published.

**Article 7. Suffrage Principles**

Elections of the National Assembly, and community councils, as well as referenda shall be held on the basis of universal, equal, free and direct suffrage, by secret vote.

**Article 8. Ideological pluralism and multipartisanism**

1. Ideological pluralism and multipartisanism shall be recognized in the Republic of Armenia.
2. Parties shall be formed and operate freely. Equal legal opportunities for activities of the parties shall be guaranteed by law.
3. Parties shall promote the formulation and expression of the people's political will.
4. The structure and activities of parties may not contravene the fundamental principles enshrined in Article 1 of the Constitution.

**Article 9. Guaranteeing Local Self-Government**

Local self-government is guaranteed in the Republic of Armenia as one of the essential bases of democracy.

**Article 10. Economic Order**

A social market economy shall be the basis for the economic order in the Republic of Armenia. It shall be based on private ownership, freedom of economic activity, and free economic competition, and through the state policy aimed at general economic well-being and social justice.

**Article 11. Preservation of the Environment and Sustainable Development**

1. The public power shall promote the preservation and regeneration of the environment and the reasonable utilization of natural resources governed by the principle of sustainable development and taking into account the responsibility towards future generations.
2. Everyone shall take care of the preservation of the environment.

**Article 12. Foreign Policy**

The foreign policy of the Republic of Armenia shall be conducted on the basis of the international law with the aim of establishing good-neighborly and mutually-beneficial relations with all states.

**Article 13. Defense of the Republic of Armenia**

1. The armed forces of the Republic of Armenia shall ensure defense, territorial integrity, the inviolability of the borders and the security of the Republic of Armenia.
2. The armed forces shall maintain neutrality in political matters and shall be under civilian control.
3. Every citizen shall be obliged to participate in the defense of the Republic of Armenia in the manner foreseen by law.

**Article 14. Protection of the Culture and Cultural Values**

1. The Republic of Armenia shall contribute to developing culture, and shall carry out a targeted policy in science, education, and arts.
2. Preservation and development of the Armenian language, monuments of history and culture and other cultural values shall be under the care and protection of the state.

**Article 15. Protection of the Family**

Family, being the natural and fundamental cell of society and the basis for the preservation and growth of population, is under special protection and care of the state.

**Article 16. The State and Religious Organizations**

1. The freedom of activity shall be guaranteed in the Republic of Armenia for the religious organizations.
2. In the Republic of Armenia, religious organizations shall be separate from the state.

**Article 17. The Armenian Apostolic Holy Church**

1. The Republic of Armenia shall recognize the exclusive mission of the Armenian Apostolic Holy Church as the national church in the spiritual life of the Armenian people, in the development of its national culture, and in the preservation of its national identity.
2. The relationship between the Republic of Armenia and the Armenian Apostolic Holy Church may be regulated by a special agreement.

**Article 18. Ties with the Armenian Diaspora**

1. The Republic of Armenia shall carry out an Armenianness-preserving policy of developing and strengthening comprehensive ties with the Diaspora.
2. Based on international law as well as on international treaties with the corresponding state, the Republic of Armenia shall contribute to protecting the Armenian historical and cultural values located in other countries, and advancing Armenian educational and cultural life in such countries.

**Article 19. The State Language of the Republic of Armenia**

The Armenian language shall be the state language of the Republic of Armenia.

**Article 20. Symbols of the Republic of Armenia**

1. The flag of the Republic of Armenia shall be tricolor - with equal horizontal stripes of red, blue, and orange.
2. The coat of arms of the Republic of Armenia shall depict, in the center on a shield, Mount Ararat with Noah's ark and the coats of arms of the four kingdoms of historical Armenia. The shield is supported by an eagle and a lion, while a sword, a branch, a sheaf, a chain, and a ribbon are depicted below the shield.
3. The detailed description of the flag and the coat of arms shall be prescribed by law.
4. The anthem of the Republic of Armenia shall be prescribed by law.

**Article 21. The Capital of the Republic of Armenia**

The capital of the Republic of Armenia is Yerevan.

**Chapter 2.****FUNDAMENTAL RIGHTS AND FREEDOMS  
OF THE HUMAN BEING AND THE CITIZEN****Article 22. Human Dignity**

Human dignity is inviolable.

**Article 23. Right to Life; the Prohibition of the Death Penalty**

1. Everyone shall have the right to life.
2. No one shall be condemned to the death penalty, or executed.

**Article 24. Right to Physical and Mental Integrity**

1. Everyone shall have the right to physical and mental integrity.
2. The right to physical and mental integrity may be restricted only by law, with the aim of protecting state security, the public order, health and morals, and the fundamental rights and freedoms of others.
3. In the fields of medicine and biology, the following must be prohibited in particular:
  - 1) eugenic practices;
  - 2) making the human body and its parts as such a source of financial gain;

3) the reproductive cloning of human beings.

3. No one shall be subjected to scientific, medical and other experiments without his freely and unambiguously expressed consent. A person shall be in prior informed about potential consequences of such experiments.

**Article 25. Prohibition of Torture and Inhuman or Degrading Treatment or Punishment**

1. No one shall be subjected to torture and to inhuman or degrading treatment or punishment.

2. Corporal punishments shall be prohibited.

3. Persons deprived of liberty shall have the right to humane treatment.

**Article 26. Personal Liberty**

1. Everyone shall have the right to personal liberty. No one may be deprived of personal liberty except in the following cases and in the procedure prescribed by law:

1) a person has been convicted by a competent court for committing a crime;

2) a person has failed to carry out a lawful court order;

3) for the purpose of securing the fulfillment of certain obligations prescribed by law;

4) for presenting the person before a competent authority when there exists a reasonable suspicion that the person has committed an offence, or when it is reasonably necessary with the aim of preventing the commission of an offence by such person or preventing his fleeing after having done so;

5) for the purpose of placing a minor under educational oversight or bringing him before a competent body;

6) for the purpose of preventing the spreading of infectious diseases dangerous for the public, or when the person has a mental disorder or is a drug addict or alcoholic;

7) for the purpose of preventing unauthorized entry of a person into the Republic of Armenia, or for deporting a person or extraditing a person to another state.

2. Everyone deprived of liberty shall be informed promptly, in a language which he understands, of the reasons for deprivation of liberty, and in case of filing criminal charges, also of the charges. Everyone deprived of liberty shall have the right to immediately notify a person of his choosing about it.

3. If an arrested person is not detained by court decision within 72 hours of the moment of arrest, then he shall be released immediately.

4. Everyone who is deprived of liberty because of arrest or detention shall have the right to challenge the lawfulness of depriving him of liberty, about which the court shall render a decision in a short time and shall order his release if the deprivation of liberty is unlawful.

5. A person may not be deprived of liberty only for the reason of being unable to fulfill his contractual obligations.

6. A person deprived of liberty in breach of this Article shall have the right, on the grounds and in the procedure provided by law, to compensation for inflicted damage.

**Article 27. General Equality before the Law**

Everyone shall be equal before the law.

**Article 28. Equality of Rights between Women and Men**

Women and men shall have equal rights.

**Article 29. Prohibition of Discrimination**

Any discrimination based on sex, race, skin color, ethnic or social origin, genetic features, language, religion, worldview, political or any other views, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited.

**Article 30. Inviolability of Private and Family Life and of Honor and Reputation**

1. Everyone shall have the right to inviolability of his private and family life and of honor and reputation.

2. The right to inviolability of private and family life may be restricted only by law with the aim of preventing or solving crimes, or protecting the economic wellbeing of the country, state security, the public order, health and morals, and the fundamental rights and freedoms of others.

**Article 31. Inviolability of the Home**

1. Everyone shall have the right to inviolability of the home.
2. The inviolability of the home may be restricted only by law with the aim of preventing or solving crimes or preventing danger to human life, health, and property.
3. A home may be searched only by court decision in the cases and the procedure prescribed by law.

**Article 32. Freedom and Confidentiality of Communications**

1. Everyone shall have the right to freedom and confidentiality of correspondence, telephone conversations and other means of communication.
2. The confidentiality of the communication may be restricted only by law for a certain period by court decision with the aim of preventing the commission of a crime or solving it, or preventing danger to the life, health and property of a person.

**Article 33. Protection of Personal Data**

1. Everyone shall have the right to protection of data concerning him.
2. Such data shall be processed fairly for purposes clearly prescribed by law, with consent of the person concerned or without such consent if another legitimate basis prescribed by law is present.
3. Everyone shall have the right to become acquainted with the data about him collected in state and local self-government bodies and the right to demand to correct any untruthful data about him, as well as to eliminate data about him that was unlawfully obtained or no longer has a legal foundation.
4. The right to become acquainted with personal data may be restricted only by law with the aim of preventing or solving crimes, protecting the state security and the fundamental rights and freedoms of others.
5. Details related to the protection of personal data shall be prescribed by law.

**Article 34. Freedom of Marriage**

1. Men and women of marriageable age shall have the right to marry and found a family by free expression of their will.
2. In marrying, during marriage, and in divorce, they shall enjoy equal rights.
3. Freedom of marriage may be restricted only by law with the aim of protecting the public interests. The marriageable age, and the procedure of marriage and divorce shall be prescribed by law.

**Article 35. Rights and Obligations of Parents**

1. Parents shall have the right and obligation to take care of the rearing, health, comprehensive and harmonious development and education of their children.
- 2.. Deprivation or limitation of parental rights may be performed by court decision in the cases prescribed by law in case of significant danger to care and health of a child.
3. Adult capable persons are obliged to take care of their parents who are incapacitated and in need of. Details shall be prescribed by law.

**Article 36. Rights of a Child**

1. A child shall have the right to express his views freely, which shall be taken into consideration in matters concerning the child in accordance with his age and maturity.
2. In matters concerning the child, the interests of the child shall get primary attention.
3. Every child shall have the right to a regular personal relationship and direct contact with his parents, unless by a court decision it is contrary to the child's interests. Details shall be prescribed by law.

4. Children left without parental care shall be under the protection and care of the state.

**Article 37. Right to Education**

1. Everyone shall have the right to education. The programs and duration of compulsory education shall be prescribed by law. The minimum duration of compulsory education shall be 12 years. Secondary education in state educational institutions is free of charge.
2. Everyone shall have the right to receive higher and other vocational education in state educational institutions on the basis of competition. The procedure and conditions of receiving higher and other vocational education free of charge shall be prescribed by law.
3. The institutions of higher education shall have the right to self-government, including academic and research freedom within the framework prescribed by law.

**Article 38. Right of a Human Being to Act Freely**

Human beings shall be free to do what does not violate the rights of others, does not contradict the Constitution and laws.

**Article 39. Right to Freedom of Movement**

1. Everyone legally present in the Republic Armenia shall have the right to freedom of movement and the right to choice of place of residence.
2. Everyone legally present in the Republic Armenia shall have the right to leave the Republic of Armenia.
3. Every citizen and everyone who has the right to legally reside in the Republic of Armenia shall have the right to enter the Republic of Armenia.
4. The right to freedom of movement may be restricted only by law with the aim of protecting state security, the public order, health and morals, or the fundamental rights and freedoms of others.

**Article 40. Freedom of Thought, Conscience, and Religion**

1. Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include the freedom to change one's religion or beliefs and the freedom, either alone or in community with others in public or in private, to manifest religion or belief in preaching, church ceremonies, other rituals of worship or in other forms.
2. The expression of freedom of thought, conscience, and religion may be restricted only by law with the aim of protecting state security, the public order, health and morals, or the fundamental rights and freedoms of others.
3. Every citizen for whom military service contradicts his religion or beliefs shall have the right to replace it with alternative service in the procedure prescribed by law.
4. Religious organizations shall have equal rights and shall enjoy autonomy. The procedure of creation and operation of religious organizations shall be prescribed by law.

**Article 41. Freedom of Expression of Opinion**

1. Everyone shall have the right to freely express his opinion. This right shall include freedom to hold own opinions, as well as to seek, receive, and impart information and ideas by any means of information without interference by state or local self-government bodies and regardless of state frontiers.
2. The freedom of the press, radio, television and other means of information shall be guaranteed. Diversity of informational, educational, cultural, and entertainment programs, as well as expression of the views of society shall be guaranteed in public radio and television.
3. Freedom of expression of opinion may be restricted only by law with the aim of protecting state security, the public order, health and morals, honor and reputation of others, as well as other fundamental rights and freedoms.

**Article 42. Freedom of Creation and Teaching**

Everyone shall have the freedom of literary, fine arts, scientific, and technical creation and teaching.

**Article 43. Freedom of Assembly**

1. Everyone shall have the right to organize and participate in peaceful assemblies.
2. In cases prescribed by law, outdoor assemblies shall be conducted on the basis of prior notification made within a reasonable period.
3. Restrictions on the exercise of the right prescribed by this article by servicemen of the armed forces, the police, national security agencies, the prosecution office and the investigation bodies, as well as for judges may be prescribed only by law.
4. The freedom of assembly may be restricted only by law with the aim of protecting state security and the public order, preventing crime, protecting health and morals, and protecting the fundamental rights and freedoms of others.

**Article 44. Freedom of Association**

1. Everyone shall have the right to freedom of association with others, including the right to form and to join trade unions for the protection of labor interests. No one shall be compelled to join any private association.
2. The procedure of establishment and activities of associations shall be prescribed by law.
3. The freedom of associations may be restricted only by law with the aim of protecting state security, the public order, health and morals, the fundamental rights and freedoms of others.
4. The activities of associations may be suspended or prohibited only by a court decision in cases and in the procedure prescribed by law.

**Article 45. Right to Create a Party and Join a Party**

1. Every citizen shall have the right to create a party with other citizens and the right to join a party. No one shall be compelled to join any party.
2. Judges, prosecutors and investigators may not be members of a party. The right to create or join a party may be restricted by law for persons serving in the armed forces, national security, the police and other militarized bodies.
3. Parties shall publish annual reports on the sources of their means and expenditures, as well as on their property, the control over which shall be performed by a competent state authority in the procedure prescribed by law.
4. Parties that advocate the violent overthrow of the constitutional order or use violence for overthrowing the constitutional order shall be unconstitutional and are subject to prohibition by the decision of the Constitutional Court. In cases prescribed by law, the activities of a party may be suspended by a decision of the Constitutional Court.

**Article 46. Right of Citizenship of the Republic of Armenia**

1. A child born to citizens of the Republic of Armenia shall be a citizen of the Republic of Armenia.
2. Every child whose one parent is a citizen of the Republic of Armenia shall have the right to citizenship of the Republic of Armenia. Armenians by ethnicity shall acquire citizenship of the Republic of Armenia through a simplified procedure. Armenians by ethnicity shall have the right to citizenship of the Republic of Armenia from the moment of establishing residence in the territory of the Republic of Armenia. The procedure of exercising the rights prescribed in this paragraph and the other grounds of acquiring citizenship of the Republic of Armenia shall be prescribed by law.
3. A citizen of the Republic of Armenia may not be deprived of citizenship.
4. The grounds and the procedure of restoring and terminating citizenship of the Republic of Armenia shall be prescribed by law.
5. Citizens of the Republic of Armenia, while outside of the Republic of Armenia, shall be under the protection of the Republic of Armenia on the basis of international law.



**Article 47. Right to Vote and Right to Participate in a Referendum**

1. Citizens of the Republic of Armenia, which have reached the age of 18 on the day of an election to the National Assembly or on the day of a referendum, shall have the right to vote in such election or to take part in such referendum.
2. Anyone who has attained the age of 25, for the preceding five years has been a citizen of the Republic of Armenia only, has permanently resided in the Republic for the preceding five years, has voting right and has a command of the state language may be elected as a member of the National Assembly.
3. Citizens of the Republic of Armenia and foreign citizens and stateless persons, who have attained the age of eighteen by the day of the election or local referendum and permanently reside in the respective community, shall have the right to vote and to be elected in elections of local self-government bodies or the right to take part in a local referendum.
4. Persons declared by court as legally incapable, as well as persons convicted and serving sentence for the intentional commission of a grave crime by a court judgment that has entered into legal force may not vote or be elected or take part in a referendum.

**Article 48. Right to Join the Public Service**

1. Every citizen shall have the right to assume an office in public service prescribed by law in accordance with his skills and professional preparedness on the basis of competition. Details shall be prescribed by law.
2. Public servants shall serve the whole people. They shall carry out their obligations impartially and in a politically-neutral manner, acting solely on the basis of professional considerations.  
prescribed

**Article 49. Right to Proper Administration**

1. Everyone shall have the right to the impartial and fair examination, within a reasonable period, of cases concerning him by administrative authorities.
2. The right to proper administration shall, in particular, include the right of a person to become acquainted with the documents about him, whilst preserving the lawful interests of secrecy and the secrets protected by law. This right obligates state and local self-government bodies and officials in cases and in the procedure prescribed by law to hear the person before adopting an individual interfering act concerning such person and to substantiate the adopted act.

**Article 50. Right of Access to Information**

Everyone shall have the right to access information on the activities of state and local self-government bodies and officials, including the right to become acquainted with documents, unless it contradicts the prevailing public interests. The procedure and conditions of obtaining information, as well as the grounds of liability of officials for concealing information or refusing to provide information without any legal ground, shall be prescribed by law.

**Article 51. Right to Apply to the Human Rights Defender**

Everyone shall have the right to receive the support of the Human Rights Defender, in case of violation of his rights and freedoms enshrined in the Constitution and laws by state and local self-government bodies and officials or, in cases provided by law, by other organizations. Details shall be prescribed by law.

**Article 52. Right to Submit Petitions**

Everyone shall have the right to individually or in community with others submit petitions to state and local self-government bodies and officials and to receive an appropriate answer within a reasonable period. Details related to individual and collective petitions shall be regulated by laws.

**Article 53. Right to Political Asylum; Prohibition of Deportation or Extradition**

1. Persons under political persecution shall have the right to receive asylum in the Republic of Armenia. The procedure and conditions of granting asylum shall be prescribed by law.

2. No one may be deported or extradited to a foreign state, if there is a serious danger in case of deportation or extradition that such person may be subjected to the death penalty, torture, as well as to other inhuman or degrading treatment or punishment.

3. A citizen of the Republic of Armenia may not be extradited to a foreign state, except for cases provided by the international treaties ratified by the Republic of Armenia.

***Article 54. Protection of the Right to a National and Ethnic Identity***

1. Everyone shall have the right to preserve his national and ethnic identity.

2. Persons belonging to national minorities shall have the right to preserve and develop their traditions, religion, language, and culture.

3. The exercise of the rights guaranteed in this Article shall be regulated by law.

***Article 55. Freedom to Choose Employment; Other Labor Rights; the Prohibition of Forced Labor***

1. Everyone shall have the right to free choice of employment.

2. Every worker shall have the right of protection against arbitrary dismissal from employment. The grounds of dismissal from employment shall be prescribed by law.

3. It shall be prohibited to dismiss from employment due to reasons related to maternity. In case of pregnancy and child delivery, every employed woman shall have the right to paid leave. Every employed parent shall have the right to leave in case of a newborn child or child adoption.

4. It shall be prohibited to hire children under the age of 16 for full-time employment. The procedure and conditions of their hiring for part-time employment shall be prescribed by law.

5. Forced or compulsory labor shall be prohibited. The following shall not be considered forced or compulsory labor:

1) work imposed by law on a person convicted for a crime;

2) military service or alternative service; and

3) any work that required in case of an emergency threatening the life or wellbeing of the population.

***Article 56. Right to a Strike***

1. For the protection of their economic, social, and labor interests, workers shall have the right to a strike. The procedure of exercising a strike shall be prescribed by law.

2. The right to a strike may be restricted only by law with the aim of protecting of public interests or fundamental rights and freedoms of others.

***Article 57. Freedom of Economic Activities and the Guaranteeing of Economic Competition***

1. Everyone shall have the right to engage in economic, including entrepreneurial activities. The conditions and procedure of exercising this right shall be prescribed by law.

2. Abuse of monopolistic or dominant position in the market and bad-faith competition shall be prohibited.

3. Restriction of competition, possible types of monopoly, and their permitted sizes may be prescribed only by law with the aim of protecting public interests.

***Article 58. Right to Property and Right to Bequeath Property; Tax Obligations***

1. Everyone shall have the right to own, use, and dispose at his discretion the legally-acquired property.

2. The right of inheritance shall be guaranteed.

3. The exercise of the right to property of a person may be restricted only by law with the aim of protecting the interests of the public and the fundamental rights and freedoms of others.

4. No one shall be deprived of his ownership, except for cases prescribed by law. The cases and procedure of prior judicial control of deprivation of ownership shall be prescribed by law.

5. Expropriation of property for prevailing public interests shall be performed only in exceptional cases and in the procedure prescribed by law, and only with prior adequate compensation.

6. Foreign citizens and stateless persons shall not enjoy the right to land ownership, except for cases prescribed by law.
7. Intellectual property shall be protected by law.
8. Everyone shall be obliged to pay taxes and duties and make other compulsory payments to the state or community budget in the procedure and the amount prescribed by law.

***Article 59. Right to Judicial Protection; Right to Apply to International Bodies of Human Rights Protection***

1. Everyone shall have the right to effective judicial protection of his rights and freedoms enshrined in the Constitution and the laws.
2. Everyone shall, in conformity with the international treaties of the Republic of Armenia, have the right to apply to international bodies of protection of human rights and freedoms in order to protect his rights and freedoms.

***Article 60. Right to Compensation for Damage***

Everyone shall have the right to compensation for damage inflicted by unlawful actions or inaction of state and local self-government bodies and officials. The law shall define the amount and the procedure of compensation for damage.

***Article 61. Right to Fair Trial***

1. Everyone shall have the right to a fair and public hearing of his case within a reasonable period by an independent and impartial court.
2. In the cases and procedure provided by law, the trial or a part thereof may be held in camera by a court decision with the aim of protecting the private life of the procedure participants, the interests of minors or the interests of justice, or morals, the public order, or state security.

***Article 62. Right to Receive Legal Aid***

1. Everyone shall have the right to receive legal aid. In cases prescribed by law, legal aid shall be provided at the expense of state funds.
2. With the aim of ensuring legal aid, advocacy based on independence, self-government and equality of advocates shall be guaranteed.

***Article 63. Right to Be Exempted from the Duty to Testify***

No one shall be obliged to testify about him, his spouse, or his close relatives. The law may prescribe other cases of exemption from the duty to testify.

***Article 64. The Presumption of Innocence***

1. A person accused of a crime shall be presumed innocent until his guilt is proven in accordance with law.

***Article 65. Inadmissibility of Evidence***

The use of evidence that is obtained in violation of fundamental rights or undermines the right to a fair trial shall be prohibited.

***Article 66. Right of an Accused to Defense***

Everyone accused of a crime shall have the following rights:

- 1) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation.
- 2) to defend himself or to be defended through a lawyer of his choosing;
- 3) to have adequate time and facilities to prepare his defense and to communicate with the defender of his choosing.
- 4) to examine or to have examined the witnesses who have testified against him, to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- 5) to be provided with a translator free of charge in case he does not master Armenian.

**Article 67. Right Not to Be Convicted Twice for the Same Act**

1. No one may be tried twice for the same act.
2. The provisions of Paragraph 1 of this Article shall not prevent the review of a case in accordance with law when new or newly-emerged circumstances have arisen, or when there had been fundamental shortcomings in the proceedings, which could affect the outcome of the proceedings.

**Article 68. Right to Appeal in Criminal Cases**

Everyone convicted by court for having committed a crime shall have the right to have his conviction or verdict reviewed by a higher judicial instance. The grounds and the procedure of the exercise of this right shall be prescribed by law.

**Article 69. Compensation for Wrongful Conviction**

When a person has been found guilty in committing a crime by a verdict of the court that has entered into legal force, and subsequently that verdict has been revised on the ground that a new or newly discovered fact proves conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall receive compensation in accordance with law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

**Article 70. Right to Request Pardon**

Every convict shall have the right to request pardon, including mitigation of the imposed sentence. Details shall be prescribed by law.

**Article 71. Principle of Guilt; Principle of Proportionality in Sentencing**

1. Guilt shall be the basis for punishing the person who committed a crime.
2. The punishment prescribed by law and the imposed specific sentence type and severity shall be proportionate to the committed crime.

**Article 72. Principle of Legality in Defining Crimes**

No one shall be convicted for an action or inaction that was not a crime at the time of its commission. A heavier penalty than the one applicable at the time of committing the crime may not be imposed. If, subsequent to the commission of a criminal offence, the law provides for a lighter penalty, then the latter shall be applicable.

**Article 73. Retrospective Effect of Laws**

1. Laws and other legal acts that aggravate a person's legal situation shall have no retrospective effect.
2. Legal acts improving a person's legal situation shall have retrospective effect if such acts so provide.

**Article 74. Application of Fundamental Rights and Freedoms in Respect of Legal Persons**

The fundamental rights and freedoms shall extend also to legal persons to the extent such rights and freedoms are by their essence applicable to them.

**Article 75. Organizational Structures and Procedures for the Exercise of Fundamental Rights and Freedoms**

When regulating fundamental rights and freedoms, laws shall define the organizational structures and procedures necessary for their effective exercise.

***Article 76. Restrictions of Fundamental Rights and Freedoms in Emergency Situations or during Martial Law***

In a state of emergency or during martial law, fundamental rights and freedoms of the human being and the citizen, with the exception of those stipulated by Articles 22–25, 27–29, 34–36, Paragraph 1 of Article 37, Paragraph 1 of Article 40, Articles 46, 54, 59, 61, 63, 65-68, and 70–72 of the Constitution, may be temporarily suspended or subjected to additional restrictions in the procedure prescribed by law to the extent required by the situation, subject to the international commitments undertaken with respect to derogations from commitments in emergency situations.

***Article 77. Prohibition of Abuse of Fundamental Rights and Freedoms***

It shall be prohibited to exercise rights and freedoms for the purpose of forcibly overthrowing the constitutional order, or inciting national, racial, or religious hatred, or preaching violence or war.

***Article 78. Principle of Proportionality***

The means chosen for restricting fundamental rights and freedoms have to be suitable and necessary for the achievement of the aim prescribed by the Constitution. The means chosen for restriction have to be proportionate to the significance of the fundamental right that is restricted.

***Article 79. Principle of Certainty***

In case of restriction of fundamental rights and freedoms, the preconditions and the scope of restrictions shall be stipulated by law; the latter shall be sufficiently certain for the holders of fundamental rights and the addressees to be able to engage in appropriate conduct.

***Article 80. Inviolability of the Essence of Provisions on Fundamental Rights and Freedoms***

The essence of provisions on fundamental rights and freedoms enshrined in this Chapter shall be inviolable.

***Article 81. Fundamental Rights and Freedoms and the International Legal Practice***

1. The practice of bodies operating on the basis of international human rights treaties, to which the Republic of Armenia is a party, shall be taken into account when interpreting the provisions of the Constitution on fundamental rights and freedoms.
2. Restrictions of fundamental rights and freedoms may not exceed the restrictions prescribed by the international treaties of the Republic of Armenia.

**Chapter 3.**

**LEGISLATIVE GUARANTEES AND MAIN OBJECTIVES OF STATE POLICY  
IN THE SOCIAL, ECONOMIC, AND CULTURAL SPHERES**

***Article 82. Working Conditions***

1. Law shall define the right of every worker to healthy, safe, and decent working conditions.
2. Law shall define the right of every worker to limitation of maximum working hours, to daily and weekly rest periods, and to annual paid leave.

***Article 83. Social Security***

Law shall define the right of everyone to social security in cases such as maternity, having many children, illness, disability, industrial accidents, need of care, loss of breadwinner, old age, loss of employment, and in other cases.

***Article 84. Decent Existence; Minimum Salary***

1. Law shall define the right of everyone in need and the elderly to a decent existence.
2. The minimum salary shall be prescribed by law.

**Article 85. Health care**

1. Law shall define the right of everyone to protection of health.
2. Law shall define the list of basic medical services provided free of charge and the procedure of their provision.

**Article 86. Main Objectives of State Policy**

The main objectives of state policy in the economic, social, and cultural spheres shall be:

- 1) to improve business environment;
- 2) to support the employment of the population and improvement of working conditions;
- 3) to foster housing construction;
- 4) to promote factual equality between men and women;
- 5) to ensure conditions required for the development of individuality of children, their physical, mental and spiritual development;
- 6) to create conditions for effective and affordable medical services for the population;
- 7) to carry out disability prevention, treatment and rehabilitation programs and to promote the participation of persons with disabilities in public life;
- 8) to protect consumer rights and to oversee the quality of goods, services, and work;
- 9) to develop the regions proportionately;
- 10) to promote physical culture and sports;
- 11) to support the participation of the youth in political, economic, and cultural life;
- 12) to support the development of free-of-charge higher and other vocational education; and
- 13) to support everyone's unhindered access to national and universal values.

**Article 87. Fulfillment of the Main Objectives of State Policy**

1. Within the scope of its powers and possibilities, the public power shall be obliged to fulfill the objectives enshrined in Article 86 of the Constitution.
2. The Government shall present to the National Assembly an annual report on the implemented measures.

#### **Chapter 4. THE NATIONAL ASSEMBLY**

**Article 88. Status, Functions, and Powers of the National Assembly**

1. The National Assembly is the people's representative body.
2. The National Assembly shall exercise the legislative power.
3. The National Assembly shall exercise oversight of the executive power, shall adopt the state budget, and shall perform other functions stipulated by the Constitution.
4. The powers of the National Assembly shall be prescribed by the Constitution.
5. The National Assembly shall operate in accordance with its Rules of Procedure. The Rules of Procedure of the National Assembly shall be a law.

**Article 89. National Assembly Composition and Election Procedure**

1. The National Assembly shall consist of at least 101 parliamentarians.
2. In accordance with the procedure prescribed by the Electoral Code, places shall be assigned in the National Assembly for representatives of national minorities.
3. The National Assembly shall be elected by a proportional electoral contest. The electoral contest of the National Assembly shall secure the formation of a stable parliamentary majority in the National Assembly.
4. If a stable parliamentary majority is not formed as a result of the first round of the National Assembly Election or within the terms and under the procedure prescribed by the Electoral Code, a second round of the election shall be conducted with the participation of the two parties (party alliances) that received the largest number of votes. These parties (party alliances) may form new alliances with the parties (party alliances) that have overcome the election thresholds on the first round.

5. The parties (party alliances) taking part in the second round of the election shall present a candidate for the position of the Prime Minister and the essential provisions of the Government's program.
6. Except for the party (party alliance) having won in the second round of the election, the parties (party alliances) that have overcome the election thresholds, shall receive parliamentary mandates based on the results of the first round.
7. Details shall be stipulated by the Electoral Code.

**Article 90. Term of Office of the National Assembly**

1. The National Assembly shall be elected for a five-year term.
2. The term of office of the newly-elected National Assembly shall start at the moment when the first sitting is opened. The term of office of the previous convocation of the National Assembly shall end at the moment when the first sitting of the newly-elected National Assembly is opened.
3. The first sitting of the newly-elected National Assembly shall be convened on the third Thursday after the official publication of the election results.

**Article 91. Regular Election of the National Assembly**

1. A regular election of the National Assembly shall be held no earlier than 60 and no later than 50 days before the end of the term of office of the National Assembly.
2. During martial law or a state of emergency, election of the National Assembly shall not be held, and the term of office of the National Assembly shall be extended until the date of opening the first sitting of the newly-elected National Assembly following the end of the martial law or state of emergency. In this case, the election to the National Assembly shall be held no sooner than fifty and no later than sixty days after the end of the state of emergency or martial law.

**Article 92. Extraordinary Election of the National Assembly**

1. After dissolution of the National Assembly in the cases stipulated by Paragraph 3 of Article 148, or Paragraphs 3 and 4 of Article 151 of the Constitution, the National Assembly shall continue exercising its powers up to the first sitting of the newly-elected National Assembly.
2. An extraordinary election of the National Assembly shall be held no earlier than 30 and no later than 45 days after dissolution of the National Assembly.

**Article 93. Setting Elections of the National Assembly**

Regular and extraordinary elections of the National Assembly shall be set by decree of the President of the Republic.

**Article 94. Representation Mandate**

Parliamentarians shall represent the whole people and shall not be bound by any instruction.

**Article 95. Incompatibility of the Parliamentary Mandate**

1. A parliamentarian may not hold office not related with his powers, in other state or local self-government bodies, commercial organizations, or perform any other paid work, except for scientific, educational, and creative work.
2. A parliamentarian may not engage in entrepreneurial activities.

**Article 96. Immunity of a Parliamentarian**

1. During and after the term of his powers, a parliamentarian may not be prosecuted or held liable for the voting or opinions expressed in the National Assembly.
2. Criminal prosecution of a parliamentarian may be initiated only with the consent of the National Assembly. Without the consent of the National Assembly, a parliamentarian may not be deprived of liberty, unless at the time of or immediately after committing a crime. The Chairman of the National Assembly shall be notified of such case immediately.

**Article 97. Remuneration Amount and Other Safeguards of Activities of Parliamentarians**

The remuneration amount and other safeguards of activities of parliamentarians shall be prescribed by law.

**Article 98. Termination of Powers of a Parliamentarian**

1. The powers of a parliamentarian shall terminate upon the expiration of the term of office of the National Assembly; loss of citizenship of the Republic of Armenia or acquisition of the citizenship of a different state; conviction to imprisonment by a judgment that has entered into legal force; being declared, by a court judgment that has entered into legal force, as legally incapable, as having limited legal capability, as missing or as having deceased; death; his resignation; or absence, without a valid excuse, from at least half of the votes during the term of a single regular session; or in cases of violating the terms of Article 95 of the Constitution.

2. The Council of the National Assembly shall submit a conclusion to the Constitutional Court with respect to the inexcusable absence from at least half of the votes during the term of a single regular session or a violation of any term of Article 95 of the Constitution.

**Article 99. Regular Sessions of the National Assembly**

Regular sessions of the National Assembly shall be convened twice a year—from the third Monday of January to the third Thursday of June, and from the second Monday of September to the third Thursday of December.

**Article 100. Extraordinary Sessions and Sittings of the National Assembly**

1. An extraordinary session or sitting of the National Assembly shall be convened by the National Assembly Chairman by demand of at least one quarter of the total number of parliamentarians or by demand of the Government.

2. The extraordinary session or sitting shall be conducted with the agenda and in the time period set by the initiator.

**Article 101. Publicity of Sittings of the National Assembly**

1. Sittings of the National Assembly shall be public.

2. By proposal of at least one fifth of the total number of parliamentarians or of the government, the National Assembly may take a decision, by majority vote of the total number of parliamentarians, to conduct a closed-door sitting.

**Article 102. Quorum of National Assembly Sittings**

A sitting of the National Assembly shall have quorum if the sitting is attended by more than half of the total number of parliamentarians, except for such cases prescribed by the Constitution, for which qualified majority is required for adopting a decision. In those cases, the sitting shall have quorum if it is attended by the number of parliamentarians necessary for adopting a decision.

**Article 103. Adoption of Laws, National Assembly Decisions, Statements, and Addresses**

1. Laws and National Assembly decisions, statements, and addresses shall be adopted by majority vote of the parliamentarians participating at voting, except for cases stipulated by the Constitution.

2. The National Assembly shall adopt the Rules of Procedure of the National Assembly, as well as the Electoral and Judicial Codes, and the constitutional laws on the Constitutional Court, Referendum, Parties, and the Human Rights Defender by at least a three-fifths majority vote of the total number of parliamentarians. The legal regulations of the constitutional law shall not exceed its sphere of competence.

3. The National Assembly shall adopt decisions in the cases prescribed by the Constitution, as well as on matters of the organization of its activities.

4. The decisions, statements, and addresses of the National Assembly shall be signed and published by the Chairman of the National Assembly.



**Article 104. The National Assembly Chairman, Deputy Chairmen, and the National Assembly Council**

1. The National Assembly shall elect from among its members, for the whole term of its office, the Chairman and three Deputy Chairmen of the National Assembly. The Chairman of the National Assembly shall be elected by majority vote of the total number of parliamentarians. The Deputy Chairmen of the National Assembly shall be elected in the procedure prescribed by the Rules of Procedure of the National Assembly. A parliamentarian from among the members of the opposition factions shall be elected as one of the Deputy Chairmen.
2. The Chairman of the National Assembly shall represent the National Assembly and ensure its normal functioning.
3. In the National Assembly, the Council of the National Assembly shall be formed, which shall consist of the National Assembly Chairman and Deputy Chairmen, one representative of each faction, and the chairmen of the standing committees.

**Article 105. Factions of the National Assembly**

1. The factions shall facilitate the formation of the political will of the National Assembly.
2. The factions shall include parliamentarians of the same party or pre-electoral alliance of parties. New factions may not be formed in the National Assembly.

**Article 106. Standing Committees of the National Assembly**

1. For the purposes of preliminary discussion of draft laws and other issues pertaining to the authority of the National Assembly and of presenting opinions thereon to the National Assembly, and of conducting parliamentary oversight, the National Assembly shall form standing committees. No more than 12 standing committees may be formed in the National Assembly.
2. Places in standing committees shall be allocated in proportion with the number of parliamentarians included in the faction. The positions of chairmen of standing committees shall be distributed among factions in proportion with the number of parliamentarians included in the faction.

**Article 107. Temporary Committees of the National Assembly**

For the purposes of preliminary discussion of certain draft laws and other draft acts of the National Assembly and of presenting opinions or reports thereon to the National Assembly, temporary committees may be formed by the decision of the National Assembly.

**Article 108. The Inquiry Committees of the National Assembly**

1. Upon the demand of at least one quarter of the total number of parliamentarians, an inquiry committee of the National Assembly shall be formed by virtue of law for the purpose of establishing facts of public interest and presenting them to the National Assembly.
2. In the inquiry committees, places shall be allocated to factions in proportion with the number of their members. The National Assembly shall determine the number of members of an inquiry committee. An inquiry committee shall be chaired by one of the parliamentarians presenting the demand.
3. Upon demand by at least one quarter of an inquiry committee, state bodies and local self-government bodies and officials shall be obliged to provide to the committee the necessary information concerning its remit, unless they are secrets protected by law.

**Article 109. Legislative Initiative**

1. A parliamentarian, a faction of the National Assembly, and the government shall have the right of legislative initiative.
2. If, according to the conclusion of the government, a draft law significantly reduces revenues of the state budget or increases state expenditures, then the Government may demand that the National Assembly adopt such law only by majority vote of the total number of parliamentarians.
3. The National Assembly shall adopt or reject a draft law deemed as urgent by decision of the Government within a two-month period.

4. At least fifty thousand citizens who have voting right, shall have the right to propose a draft law to the National Assembly on popular initiative.

**Article 110. Adoption of the State Budget**

1. The National Assembly shall adopt the state budget upon submission by the Government. The state budget shall include all revenues and expenditures in the procedure prescribed by law.

2. The Government shall submit the draft state budget to the National Assembly at least 120 days prior to the start of the new fiscal year.

3. The state budget shall be adopted at least 30 days prior to the start of the new fiscal year. If the state budget is not adopted by such time, the expenditures of the coming fiscal year shall be made in accordance with the proportions of the previous year's budget.

**Article 111. Oversight of the Execution of the State Budget**

1. The National Assembly shall exercise oversight of the execution of the state budget, as well as the use of loans and debt received from foreign states and international organizations.

2. The National Assembly shall, subject to the presence of an opinion by the Control Chamber, deliberate and adopt a decision on the annual report on the execution of the state budget.

**Article 112. Oral and Written Questions of Parliamentarians**

1. In one sitting of the sittings week of the regular session, Government members shall answer oral questions of parliamentarians. The National Assembly shall not adopt decisions on the questions of parliamentarians.

2. Parliamentarians shall have the right to pose written questions to the Government members. Government members shall answer such questions within 21 days. The answers to written questions shall not be presented at a sitting of the National Assembly.

**Article 113. Interpellations**

1. The factions of the National Assembly shall have the right to address the Government members with written interpellations. The Government members shall respond to the interpellation during the regular session, within no later than 30 days of receiving the interpellation, or, if the regular session has ended, then at the beginning of the next session.

2. A response to an interpellation shall be presented at a sitting of the National Assembly. By proposal of at least one fifth of the parliamentarians, the interpellation shall be deliberated. If the deliberation results in making a proposal to express non-confidence in the Prime Minister, then the rules of Article 115 shall apply. Based on the results of an interpellation, the National Assembly may propose to the Prime Minister to discuss the question of future service of an individual member of the Government.

**Article 114. Deliberations on Urgent Topics**

In one sitting of the sittings week of the regular session, if so demanded by one quarter of the total number of parliamentarians, deliberations on urgent topics of public interest may be conducted.

**Article 115. Expressing Non-Confidence in the Prime Minister**

1. A draft decision on expressing non-confidence in the Prime Minister may be presented by at least one third of the total number of parliamentarians only when the candidacy of a new Prime Minister is simultaneously proposed in the draft.

2. A draft decision on expressing non-confidence in the Prime Minister shall be put to the vote no earlier than 48 and no later than 72 hours after it is presented. The decision shall be adopted by majority vote of the total number of parliamentarians, by open vote. If the decision is adopted the Prime Minister shall submit his resignation. In this case the provisions of Paragraph 2-4 of Article 148 shall not be applicable.

3. If the draft decision on expressing non-confidence in the Prime Minister is not adopted, such draft may be submitted only after at least six months.

4. During martial law or a state of emergency, a draft decision on expressing non-confidence in the Prime Minister may not be presented or deliberated.

**Article 116. Ratification, Suspension, or Renunciation of International Treaties**

1. The National Assembly shall ratify, suspend, and renounce international treaties that:
- 1) Concern the fundamental rights, freedoms, and obligations of the human being and citizen;
  - 2) Have a political or military nature;
  - 3) Contemplate the membership of the Republic of Armenia in an international organization;
  - 4) Contemplate significant financial and property obligations;
  - 5) Imply a change of law or the adoption of a new law in order to be applied, or include norms that contradict a law;
  - 6) Directly contemplate ratification; or
  - 7) Contain matters that are subject to regulation by law.
2. The National Assembly shall, by proposal of the Government, ratify, suspend, and renounce international treaties by means of adopting a law by majority vote of the total number of parliamentarians.

**Article 117. Amnesty**

By proposal of the Government, the National Assembly may adopt a law on amnesty by majority vote of the total number of parliamentarians.

**Article 118. Declaring War and Establishing Peace**

1. By proposal of the Government, the National Assembly may adopt a decision on declaring war or establishing peace by majority vote of the total number of parliamentarians.
2. If it is impossible to convene a sitting of the National Assembly, the Government shall determine the matter of declaring war.

**Article 119. Martial Law**

1. In the event of an armed attack against the Republic of Armenia or imminent threat thereof or declaration of war, the Government shall declare a martial law, and may call for a general or partial mobilization.
2. In case of declaration of martial law, a special sitting of the National Assembly shall be immediately convened by virtue of law.
3. The National Assembly may terminate the martial law by majority vote of the total number of parliamentarians.
4. The legal regime of martial law shall be prescribed by a law adopted by majority vote of the total number of parliamentarians.

**Article 120. State of Emergency**

1. In the event of an imminent threat to the constitutional order, the Government shall declare a state of emergency and take measures appropriate in the situation and address the people thereon.
2. In case of declaration of a state of emergency, a special sitting of the National Assembly shall be immediately convened by virtue of law.
3. The National Assembly may terminate the state of emergency or cancel the implementation of measures by majority vote of the total number of parliamentarians.
4. The legal regime of a state of emergency shall be prescribed by a law adopted by majority vote of the total number of parliamentarians.

**Article 121. Administrative-Territorial Division**

The National Assembly shall, by proposal of the Government, define the administrative-territorial division by law.

**Article 122. Regulatory Commissions**

1. To safeguard the exercise of fundamental rights and freedoms of the human being and citizen, as well as to protect fundamental public interests enshrined in the Constitution, regulatory commissions may be created by a law adopted by majority vote of the total number of parliamentarians.
2. The members of regulatory commissions shall be appointed by majority vote of the total number of parliamentarians.
3. Regulatory commissions may by law be authorized to issue sub-legislative legal acts.
4. The powers and independence safeguards of regulatory commissions, the requirements on their members, and the procedure of their activities shall be prescribed by law.

**Chapter 5.  
THE PRESIDENT OF THE REPUBLIC****Article 123. Status and Functions of the President of the Republic**

1. The President of the Republic is the head of state.
2. The President of the Republic shall observe the compliance with the Constitution.
3. In exercising his powers, the President of the Republic shall be impartial and shall be guided exclusively by state and national interests.
4. The President of the Republic shall perform his functions through the powers prescribed by the Constitution.

**Article 124. Term of Office of and Requirements on the President of the Republic**

1. The President of the Republic shall be elected for a seven-year term.
2. Everyone who has attained the age of 40, has been a citizen of only the Republic of Armenia, has permanently resided in the Republic of Armenia for the preceding seven years, and has voting right may be elected as President of the Republic.
3. The same person may be elected as President of the Republic only once.
4. The President of the Republic may not hold other office not related with his powers, in state or local self-government bodies or commercial organizations, or perform any other paid work, except for scientific and creative work.
5. The President of the Republic may not engage in entrepreneurial activities.
6. During the term of exercising his powers, the President of the Republic may not be a member of any party.

**Article 125. Election Procedure of the President of the Republic**

1. The President of the Republic shall be elected by a College of Electors.
2. The College of Electors shall consist of parliamentarians of the National Assembly and representatives elected by local self-government bodies from among them, in a number equal to that of the parliamentarians of the National Assembly, which may be only the citizens of the Republic of Armenia.
3. The College of Electors shall be convened no earlier than 30 days and no later than 40 days before the end of the term of office of the President of the Republic.
4. At least one fifth of total number of the members of the Electoral College shall have the right to nominate candidates of the President of the Republic.
5. The candidate who receives at least a three-fifths majority vote of total number of the Electoral College members shall be elected as President of the Republic. If no candidate receives such majority, a second round of the vote shall be conducted, in which all candidates that participated in the first round may participate. The candidate that receives more than half of the votes of the Electoral College members shall be elected as President of the Republic. If no candidate receives more than half of the votes of the Electoral College members in the second round, a third round of the vote shall be conducted, in which the two candidates that received the largest number of votes shall participate. In the third round, the candidate that receives more votes shall be elected as President of the Republic.

6. The Electoral Code shall prescribe the details of the procedure of electing the President of the Republic of Armenia.

**Article 126. Extraordinary Election of the President of the Republic**

In the event of the removal from office of the President of the Republic, impossibility to discharge powers, resignation, or death, an extraordinary election of the President of the Republic shall be held within no less than 25 and no more than 35 days following the office of the President of the Republic becoming vacant.

**Article 127. The President of the Republic Assuming Office**

1. The President of the Republic shall assume office on the day on which the powers of the previous President of the Republic end.

2. A President of the Republic elected through an extraordinary election shall assume office on the 10<sup>th</sup> day after the official publication of the election results.

3. The President of the Republic shall assume office by taking the following oath to the people at a special sitting of the National Assembly: "Assuming the office of the President of the Republic of Armenia, I swear to remain faithful to the Constitution of the Republic of Armenia, to be impartial in the exercise of my powers, to follow only state and national interests, and to invest all of my strength for the fortification of national unity."

**Article 128. Address of the President of the Republic**

The President of the Republic may deliver an address to the National Assembly on matters pertaining to his authority.

**Article 129. Signature and Publication of Law**

1. The President of the Republic of Armenia shall sign and publish a law adopted by the National Assembly within a 21-day period or, within the same period, he shall apply to the Constitutional Court with the aim of determining the conformity of the law with the Constitution.

2. If the Constitutional Court decides that the law is in conformity with the Constitution, then the President of the Republic shall sign and publish the law within a five-day period.

**Article 130. Accepting the Resignation of the Government**

In the cases stipulated by Article 157 of the Constitution, the President of the Republic shall accept the resignation of the Government.

**Article 131. Changes in the Composition of the Government**

The President of the Republic of Armenia shall make changes in the composition of the Government by proposal of the Prime Minister.

**Article 132. Powers of the President of the Republic in Foreign Policy**

1. The President of the Republic shall:

1) In the cases and procedure prescribed by law, conclude international treaties of the Republic of Armenia by proposal of the Government;

2) By proposal of the Prime Minister, appoint and recall diplomatic representatives of the Republic of Armenia in foreign states and at international organizations in the procedure prescribed by law; and

3) Accept the letters of credence or letters of recall of diplomatic representatives of foreign states and international organizations.

2. In the cases and procedure prescribed by law, the President of the Republic shall, by proposal of the Prime Minister, approve, suspend, or renounce international treaties not requiring ratification.

3. The President of the Republic shall, by proposal of the Prime Minister, award the highest diplomatic ranks in the cases and procedure prescribed by law.

**Article 133. Powers of the President of the Republic in the Area of Armed Forces**

1. By proposal of the Prime Minister, the President of the Republic shall appoint and dismiss the supreme command of the armed forces and other troops.
2. By proposal of the Prime Minister, the President of the Republic shall award the highest military ranks.

**Article 134. Resolution of Issues Related to Citizenship**

In the cases and procedure prescribed by law, the President of the Republic shall resolve issues related to the granting and termination of citizenship of the Republic of Armenia.

**Article 135. Granting Pardon**

In the cases and procedure prescribed by law, the President of the Republic shall resolve the issue of granting pardon to convicted persons.

**Article 136. Decoration with Awards and Granting of Honorary Titles**

In the cases and procedure prescribed by law, the President of the Republic shall decorate with orders and medals of the Republic of Armenia, and grant honorary titles.

**Article 137. Awarding the Highest Ranks**

In the cases and procedure prescribed by law, the President of the Republic shall award the highest ranks.

**Article 138. Orders and Decrees of the President of the Republic**

1. In exercising his powers, the President shall issue orders and decrees.
2. The orders and decrees of the President of the Republic, with the exception of the cases stipulated by Articles 128-130, 141, the second sentence of Paragraph 1 of Article 144, Paragraph 5 of Article 148, Paragraphs 1 and 3 of Article 164, and Article 205 of the Constitution, shall enter into force only when co-signed by the Prime Minister or the minister that made the proposal. The respective members of the Government shall bear political responsibility for such acts towards the National Assembly.
3. If the President of the Republic within the periods prescribed by the Constitution, or if no such period is prescribed, then within ten-days period, does not take necessary measures in respect to the act to be adopted by him, such act shall be considered adopted by virtue of law.

**Article 139. Immunity of the President of the Republic**

1. The President of the Republic may not ever be subjected to criminal prosecution or administrative liability for actions stemming from his status.
2. The President of the Republic may be held liable for actions not connected with his status only after the end of the term of his office.

**Article 140. Impeachment of the President of the Republic**

1. The President of the Republic may be impeached for state treason, another grave crime, or gravely breaching the Constitution.
2. To obtain a conclusion on the existence of grounds for the impeachment of the President of the Republic, the National Assembly shall apply to the Constitutional Court by a decision adopted by majority vote of the total number of parliamentarians.
3. The decision to impeach the President of the Republic shall be adopted by the National Assembly, on the basis of a conclusion of the Constitutional Court, by at least a two-thirds majority vote of the total number of parliamentarians.
4. If the Constitutional Court concludes that the grounds for impeaching the President of the Republic are missing, the issue shall be removed from the discussions of the National Assembly.

**Article 141. Resignation of the President of the Republic**

The President of Republic shall present his resignation to the National Assembly. The resignation shall be deemed accepted from the moment of promulgating the resignation at the extraordinary sitting of the National Assembly convened immediately by virtue of law.

**Article 142. Impossibility of the President of the Republic Discharging His Powers**

In case of grave illness of the President of Republic or the existence of other insurmountable obstacles to the discharge of his powers, which enduringly render the discharge of such powers impossible, the Constitutional Court shall, based on an application of the Government, take a decision on the impossibility for the President of the Republic to discharge his powers.

**Article 143. Temporary Discharge of Powers of the President of the Republic**

1. In case of impeachment of the President of the Republic, the impossibility of the President discharging his powers, or the resignation or death of the President, and before the newly-elected President of the Republic assumes the office, the powers of the President of the Republic shall be discharged by the Chairman of the National Assembly.

**Article 144. Staff, Amount of Remuneration, and Procedure of the Provision of Services and Security to the President of the Republic**

1. The procedure of formation of the staff of the President of the Republic shall be prescribed by law. In the cases and procedure prescribed by law, the President of the Republic shall make appointments to offices in the staff of the President of the Republic.
2. The amount of remuneration and the procedure of the provision of services and security to the President of the Republic shall be prescribed by law.

**Chapter 6.  
THE GOVERNMENT**

**Article 145. Status and Functions of the Government**

1. The Government shall be the highest body of the executive power.
2. Based on its program, the Government shall develop and implement the domestic and foreign policy of the state.
3. The Government shall conduct the general direction of the bodies of the state administration system.
4. The powers of the Government shall be prescribed by the Constitution and the laws. The Government shall have power over those matters pertaining to executive power, which are not reserved for other state administration bodies or local self-government bodies.

**Article 146. Composition and Structure of the Government**

1. The Government shall consist of the Prime Minister, deputy prime ministers, and ministers.
2. The list of ministries and the procedure of activities of the Government shall be prescribed by law upon submission by the Government. The number of ministries may not exceed 18.

**Article 147. Requirements on Government Members**

1. Everyone who is a citizen of only the Republic of Armenia, and has voting right may be appointed as a member of the Government. As Prime Minister may be appointed a citizen of the Republic of Armenia, who has permanently resided in the Republic of Armenia for the preceding seven years.
2. Government members shall be subject to the limitations prescribed by Article 95 of the Constitution.

**Article 148. Election and Appointment of the Prime Minister**

1. Within a three-day period of the commencement of the term of office of the newly-elected National Assembly, the President of the Republic shall appoint as Prime Minister the prime-minister candidate nominated by the parliamentary majority formed in the procedure prescribed by Article 89 of the Constitution.
2. Within a seven-day period of accepting the Government's resignation in case of the Prime Minister submitting a resignation or the office of the Prime Minister becoming vacant, the Chairman of the National Assembly shall, based on the distribution of parliamentary seats and based on consultations with the parliamentary factions, nominate the prime-minister candidate that enjoys the confidence of the majority of parliamentarians. The National Assembly shall elect the Prime Minister by majority vote of the total number of parliamentarians.
3. If a Prime Minister is not elected, a second round of the vote shall be held seven days after the vote, in which the prime-minister candidates nominated by the factions may take part. If a Prime Minister is not elected by majority vote of the total number of parliamentarians, the National Assembly shall be dissolved by virtue of law.
4. The election of the Prime Minister shall be conducted by open vote.
5. The President of the Republic shall appoint as Prime Minister the candidate elected by the National Assembly.

**Article 149. Formation of the Government**

Within a 10-day period of the appointment of the Prime Minister, the President of the Republic shall, by proposal of the Prime Minister, appoint the deputy prime ministers and the ministers.

**Article 150. Oath of Government Members**

The Prime Minister and other members of the Government shall take the following oath in front of the people at a sitting of the National Assembly: "I swear to be faithful to the Constitution and laws of the Republic of Armenia, and to invest all of my strength for the development and well-being of the Republic of Armenia."

**Article 151. Program of the Government**

1. Within a 20-day period of the formation of the Government, the Prime Minister shall present to the National Assembly the program of the Government.
2. The National Assembly shall approve the Program of the Government within a seven-day period by majority vote of the total number of parliamentarians.
3. If the National Assembly does not approve the Program of the Government and does not elect a new Prime Minister in accordance with Paragraphs 2 and 3 of Article 148 of the Constitution, then the National Assembly shall be dissolved by virtue of law. If the National Assembly elects the Prime Minister, but once again does not approve the Program of the Government, the National Assembly shall be dissolved by virtue of law.
4. Paragraph 3 of this Article shall not apply to the Program of the Government formed by the Prime Minister elected in accordance with Article 115 of the Constitution. If the Program of such Government is not approved, the National Assembly shall be dissolved by virtue of law.

**Article 152. Powers of the Prime Minister and Other Members of the Government**

1. The Prime Minister shall, within the framework of the Program of the Government, determine the general guidelines of the Government's policy, direct the activities of the Government, and coordinate the work of the Government members. On specific issues, the Prime Minister may give instructions to the Government members. The Prime Minister shall lead the Security Council, the procedure of formation and operation of which shall be prescribed by law.
2. Each minister shall independently direct the portfolio entrusted in his ministry.
3. Members of the Government shall have the power to adopt a sub-legislative normative legal act.



**Article 153. *Sittings and Decisions of the Government***

1. The Prime Minister shall invite and chair the sittings of the Government.
2. Decisions of the Government shall be adopted by majority vote of the members.
3. Decisions of the Government shall be signed by the Prime Minister.
4. The Government shall have the power to adopt a sub-legislative normative legal act.

**Article 154. *Armed Forces***

1. The armed forces shall be subordinate to the Government. The Government shall make decision on use of armed forces. In case of urgent necessity the Prime Minister shall make the decision on use of armed forces on proposal of the Minister of Defense and shall immediately inform the Government about it.
2. Within the general guidelines of the defense policy prescribed by the Security Council, the Minister of Defense shall conduct the command of the armed forces.
3. The highest military official of the armed forces shall be the Chief of the General Staff, who shall be appointed by the President of the Republic by proposal of the Prime Minister for the term prescribed by law. The Chief of the General Staff shall be subordinate to the Minister of Defense in the absence of war.
4. During war, the Prime Minister shall be the Supreme General Commander of the armed forces.
5. The subordination and command of the armed forces, as well as other details shall be prescribed by law.

**Article 155. *Annual Report of the Government to the National Assembly***

For each year, the Government shall present a report to the National Assembly on the implementation progress and results of its Program.

**Article 156. *Question of Confidence in the Government***

1. The Government may put forward the question on confidence in the Government with respect to the adoption of a draft law submitted by the Government. The draft decision on expressing confidence in the Government shall be put to the vote no later than within 72 hours of its submission. The decision shall be adopted by majority vote of the total number of parliamentarians, by open vote.
2. If the draft decision on expressing confidence in the Government is accepted, the draft law submitted by the Government shall be deemed adopted.
3. The Government may put forward the question of its confidence with respect to a draft law not more than twice during any given session.
4. During martial law or a state of emergency, the Government may not put forward the question of its confidence.

**Article 157. *Resignation of the Government***

The Government shall present its resignation to the President of the Republic on the day of the first sitting of the newly-elected National Assembly, of the expression of non-confidence in the Government, of not approving the program of the Government, of the Prime Minister submitting his resignation, or of the day on which the office of the Prime Minister becomes vacant. The members of the Government shall continue discharging their duties until a new Government is formed.

**Article 158. *Bodies of the State Administration System***

1. The bodies of the state administration system shall be the ministries, as well as other bodies subordinate to the Government, the Prime Minister, and the ministries, the procedure of the formation and powers of which shall be prescribed by law.

**Article 159. Implementation of the Regional Policy of the Government**

The Government shall implement its regional policy in the *marzes* through the *marz* governors. The *marz* governors shall be appointed and dismissed by the Government. The *marz* governors shall coordinate the activities of the regional subdivisions of the state administration bodies subordinate to the Government and the ministries.

**Article 160. The Public Council**

The Public Council shall be a body consultative to the Government. The procedure of the formation and operation of the Public Council shall be prescribed by law.

## Chapter 7. COURTS AND THE SUPREME JUDICIAL COUNCIL

**Article 161. The Administration of Justice**

1. In the Republic of Armenia, justice shall be administered solely by courts in accordance with the Constitution and laws.
2. Any interference with the administration of justice shall be prohibited.
3. Final acts of court shall be adopted in the name of the Republic of Armenia.

**Article 162. The Courts**

1. The Constitutional Court, the Cassation Court, appellate courts, general jurisdiction first instance courts, and the administrative court shall operate in the Republic of Armenia. In cases provided by law, other specialized courts may be created, too.
2. The creation of extraordinary courts shall be prohibited.

**Article 163. The Status of a Judge**

1. When administering justice, a judge shall be independent, impartial and act only in accordance with the Constitution and the laws.
2. When administering justice, a judge shall not be held liable for the rendered judicial act, action or inaction, if the latter do not contain features of crime or administrative violation prescribed by law.
3. With respect to performance of his duties a judge of the Constitutional court may be criminally prosecuted only with the consent of the Constitutional Court. With respect to performance of his duties a judge of the Constitutional court may not be deprived of liberty without the consent of the Constitutional court, except during or immediately after the commission of a crime. In that case, the President of the Constitutional court is immediately informed.
4. With respect to performance of his duties a judge may be criminally prosecuted only with the consent of the Supreme judicial council. With respect to performance of his duties a judge may not be deprived of liberty without the consent of the Supreme judicial council, except during or immediately after the commission of a crime. In that case, the President of the Supreme judicial council is immediately informed.
5. The grounds for subjecting a judge to disciplinary liability shall be prescribed by Judicial code and the procedure - by the Constitution and Judicial code.
6. A judge may not hold any office not related with the performance of his duties in other state or local self-government bodies or in commercial organizations, or engage in entrepreneurial activities or perform any other paid work, except for scientific, educational, and creative activities. The Law on Constitutional Court and the Judicial code may provide for other limitations of compatibility.
7. A judge may not engage in political activities.
8. The powers of a judge shall terminate upon the expiration of the term of office; loss of citizenship of the Republic of Armenia or acquisition of the citizenship of a different state; a convicting court judgment in respect to him that has entered into legal force; being declared, by a court judgment that has entered into legal force, as legally incapable, as having limited legal capability, as missing or as having deceased; death; his resignation.

9. The powers of a Constitutional Court judge shall be terminated by a decision of the Constitutional Court and the powers of a judge shall be terminated by a decision of the Supreme Judicial Council in cases of violation of the incompatibility rules; enduring illness, which renders the discharge of his powers impossible; as well as in case of grave disciplinary violation.

10. Details related to the status of judges shall be prescribed by Law on Constitutional Court and Judicial code.

**Article 164. Appointment Procedure and Term in Office of Judges and Chairmen of Courts (Cassation Court Chambers)**

1. Judges of first instance courts and appellate courts shall be appointed by the President of the Republic upon presentation by the Supreme Judicial Council.

2. Chairmen of first instance courts and appellate courts shall be appointed in the procedure stipulated by Paragraph 1 of this Article for a three-year term and may not be reappointed to such position immediately after the end of their term in office.

3. Judges of the Cassation Court shall be elected by competitive procedure. Based on the competition results, the Supreme Judicial Council shall present to the National Assembly three candidates for each place of a judge of the Cassation Court. The candidate elected by at least a three-fifths majority vote of the total number of parliamentarians of the National Assembly shall be appointed by the President of the Republic.

4. The Chairmen of the chambers of the Cassation Court shall be appointed by the procedure prescribed by Paragraph 1 of this Article for the term of six years without the right of being reappointed.

5. The Cassation Court Chairman shall be appointed by the National Assembly upon nomination by the Supreme Judicial Council, by majority vote of the total number of parliamentarians, from among the composition of the Cassation Court for a six-year term without the right of being reappointed.

6. Judges of the Cassation Court shall be elected from among lawyers that are citizens of only the Republic of Armenia and have voting rights of the Republic of Armenia, have reached the age of 40, and have strong professional qualities and at least ten years of professional work experience..

7. Judges of first instance courts and appellate courts shall be appointed from among lawyers that are citizens of only the Republic of Armenia and have voting rights of the Republic of Armenia.

8. The Judicial code may prescribe additional requirements on judge candidates.

9. Judges are irremovable and shall serve in office until reaching the age of 65.

10. Details related to the appointment and election of judges shall be prescribed by Judicial code.

**Article 165. The Constitutional Court**

1. Constitutional justice shall be administered by the Constitutional Court, ensuring the primacy of the Constitution.

2. When administering justice, the Constitutional Court shall be independent and shall abide only by the Constitution.

3. The powers of the Constitutional Court shall be prescribed by the Constitution. The formation procedure and the procedure of activities of the Constitutional Court shall be prescribed by the Constitution and the Law on the Constitutional Court.

**Article 166. Composition and Formation Procedure of the Constitutional Court**

1. The Constitutional Court shall consist of nine judges.

2. Judges of the Constitutional Court shall be elected by the National Assembly, by at least a three-fifths majority vote of the total number of the parliamentarians: three of the judges shall be elected upon nomination by the President of the Republic, three upon nomination by the Government, and three upon nomination by the General Assembly of Judges.

3. Judges of the Constitutional Court shall be elected from among reputed lawyers that are citizens of only the Republic of Armenia and have voting rights of the Republic of Armenia, have reached the age of 40, and have strong professional qualities and professional work experience of at least 15 years.
4. The Law on the Constitutional Court may prescribe additional requirements on the Constitutional Court judge candidates.
5. Judges of the Constitutional Court shall serve in office for 12 years until reaching the age of 70 and may not be reelected to the office of a Constitutional Court judge.
6. The Constitutional Court shall elect the Constitutional Court chairman and deputy chairman from among its composition for a six-year term, without the right of being reelected.

**Article 167. Powers of the Constitutional Court**

1. The Constitutional Court shall, in accordance with the procedure prescribed by the Constitution and the Law on the Constitutional Court:
  - 1) Determine the conformity with the Constitution of laws, decisions of the National Assembly, decisions of the Government, Prime Minister, sub-legislative normative legal acts and decisions of local self-government bodies;
  - 2) Prior to the adoption of the Constitutional amendments draft, as well as drafts of legal acts put to the referendum, determine their conformity with the Constitution;
  3. Prior to the ratification of an international treaty, determine the conformity with the Constitution of obligations enshrined therein;
  - 4) Resolve disputes arising between constitutional bodies with respect to their constitutional powers;
  - 5) Resolve disputes related to decisions adopted with respect to the results of a referendum or the results of elections of the National Assembly and the President of the Republic;
  - 6) Render decision on termination of the powers of a parliamentarian;
  - 7) Issue an opinion on the existence of a ground for impeaching the President of the Republic;
  - 8) Render a decision on the impossibility for the President of the Republic to discharge his powers;
  - 9) Render a decision on terminating the powers of a judge of the Constitutional Court,
  - 10) Solve the question on initiating criminal prosecution against him or depriving him of liberty with respect to performance of his duties; and
  - 11) In the cases prescribed by law, render a decision on suspending or prohibiting the activities of a party.

**Article 168. Applying to the Constitutional Court**

1. The following may apply to the Constitutional Court:
  - 1) The National Assembly – in the cases stipulated by Paragraphs 10 and 11 of Article 167 of the Constitution by the decision adopted in the procedure prescribed by Paragraph 1 of Article 103 of the Constitution; in cases stipulated by Paragraph 7 of Article 167 of the Constitution by the decision adopted by the majority vote of all parliamentarians, and in case of Paragraph 9 of Article 167 of the Constitution by at least a three-fifths majority vote of total number of all parliamentarians;
  - 2) At least one fifth of the total number of the parliamentarians – in the cases stipulated by Paragraphs 1 and 4 of Article 167 of the Constitution;
  - 3) A faction of the National Assembly – for disputes related to decisions adopted with respect to the results of a referendum or the results of election of the President of the Republic;
  - 4) The President of the Republic – in the cases stipulated by Paragraph 1 of Article 129 or Paragraphs 1 and 4 of Article 167 of the Constitution;
  - 5) The Government – in the cases stipulated by Paragraphs 1,4, 8, and 11 of Article 167 of the Constitution;
  - 6) Supreme Judicial Council – in the cases stipulated by Paragraph 4 of Article 167 of the Constitution;
  - 7) Local self-government bodies – with the question of conformity with the Constitution of normative legal acts of state bodies that violate their constitutional rights stipulated by

Paragraph 1 of Article 167 of the Constitution, as well as in cases stipulated by Paragraph 4 of Article 167 of the Constitution;

8) Everyone – in a concrete case when there is a final act of court, all judicial remedies have been exhausted, and the person challenges the constitutionality of a provision of a normative legal act applied by such act of court in relation to him, which has led to a violation of his fundamental rights and freedoms enshrined in Chapter 2 of the Constitution, taking into account also the construal of such provision in its practical legal application;

9) The Prosecutor General – concerning the constitutionality of provisions of normative legal acts related to proceedings conducted by the prosecution office;

10) The Human Rights Defender – concerning the conformity of the normative legal acts listed in Paragraph 1 of Article 167 of the Constitution with the provisions of Chapter 2 of the Constitution;

11) Parties or party alliances that participated in the National Assembly elections – on disputes in connection with decisions taken on the results of the National Assembly elections;

12) The candidates for the President of the Republic – on disputes in connection with decisions taken on the results of the elections of the President of the Republic;

2. National Assembly shall apply to the Constitutional Court in cases prescribed by Paragraph 2 of Article 167 of the Constitution.

3. Government shall apply to the Constitutional Court in case prescribed by Paragraph 3 of Article 167 of the Constitution.

4. Courts shall apply to the Constitutional Court on the issue of constitutionality of law subject to application in a specific case within their proceedings, if they have reasonable doubts on its constitutionality and find that the solution of the case is possible only through the application of the given law.

5. The Council of the National Assembly shall apply to the Constitutional Court in cases prescribed by Paragraph 6 of Article 167 of the Constitution.

6. The procedure of the application to the Constitutional Court shall be prescribed by the Constitution and Law on the Constitutional Court.

7. The Constitutional Court shall examine a case only when a respective application is present.

#### **Article 169. Acts of the Constitutional Court**

1. The Constitutional Court shall adopt decisions and opinions.

2. Decisions and opinions of the Constitutional Court shall be final and shall enter into force at the moment of being published.

3. The Constitutional Court may set out, in its decision, a later date of invalidating a normative legal act contravening the Constitution or a part of such normative act.

4. Concerning the matters stipulated by Article 167 of the Constitution, except for matter prescribed by Paragraph 7, the Constitutional Court shall render decisions. Concerning the matter stipulated by Paragraph 7 of Article 167, it shall issue opinion.

5. Opinions, as well as decisions on the matters stipulated by Paragraphs 9 and 11 of Article 167 of the Constitution, shall be adopted by at least a two-thirds majority vote of the total number of judges of the Constitutional Court, while other decisions shall be adopted by majority vote of the total number of the judges.

6. If the opinion of the Constitutional Court is negative, the matter shall fall outside the examination of the competent body.

#### **Article 170. The Cassation Court**

1. With the exception of the domain of constitutional justice, the Cassation Court shall be the highest judicial instance in the Republic of Armenia.

2. By reviewing judicial acts of first instance and appellate courts within the scope of its powers prescribed by law, the Cassation Court:

1) ensures the consistent application of a law or another normative legal act in legal practice;

2) eliminates fundamental violations present in judicial acts.

**Article 171. The Appellate Courts**

The Appellate courts are the main instance that review the judicial acts of first instance courts within the framework of powers prescribed by law.

**Article 172. The Supreme Judicial Council**

The Supreme Judicial Council is an independent state body that shall safeguard the independence of courts and judges.

**Article 173. Composition and Formation Procedure of the Supreme Judicial Council**

1. The Supreme Judicial Council shall consist of ten members, five of which shall be elected by the National Assembly from among legal scholars and other reputed lawyers, by at least a three-fifths majority vote of the total number of parliamentarians, and the other five shall be elected by the General Assembly of Judges from among the judges.
2. The Supreme Judicial Council members elected by the National Assembly shall be citizens of only the Republic of Armenia, have strong professional qualities and professional work experience of at least 15 years.
3. The Supreme Judicial Council members elected by the General Assembly of Judges shall proportionately represent the judges of all instances and have experience of serving in the office of a judge for at least ten years.
4. The Supreme Judicial Council members shall serve in office for five years and may not be reelected to the same position.
5. Court chairmen may not become members of the Supreme Judicial Council.
6. The powers of the judge members of Supreme Judicial Council shall be suspended to the time of expiration of their office in Supreme Judicial Council.
7. The Supreme Judicial Council members are subject to the incompatibility rules stipulated by the Constitution for judges.
8. The Supreme Judicial Council shall be chaired by the Council Chairman, who shall be elected from among the judge and lawyer members of the Council by the members of the Council in the procedure prescribed by Judicial Code.

**Article 174. Powers of the Supreme Judicial Council**

1. The Supreme Judicial Council shall:
  - 1) Form the list of judge candidates and the career advancement list of judges;
  - 2) Present to the President of the Republic the candidacies of judges subject to appointment;
  - 3) Present to the President of the Republic the candidacies of judges subject to appointment through career advancement;
  - 4) From among the judges of the respective courts, select and present to the President of the Republic the candidacies of court chairmen subject to appointment as well as from among composition of the chambers of the Cassation court select and present candidates of Chairmen of Chambers subject to appointment;
  - 5) Propose to the National Assembly the candidacies of Cassation Court chairman and judges;
  - 6) In the cases stipulated by law, solve the question of transfer or assignment of judges to another court;
  - 7) Give consent to initiating criminal prosecution against judge or depriving him of liberty with respect to performance of his duties;
  - 8) Impose disciplinary liability upon judges;
  - 9) Terminate the powers of judges; and
  - 10) Approve the estimate of its costs and the cost estimates of courts, and present them to the Government for incorporation in the draft State Budget, and carry out general oversight over the use of budgetary resources of courts.
2. Other powers conditioned by its constitutional status may also be reserved for the Supreme Judicial Council by law.
3. The Supreme Judicial Council shall adopt decisions by majority vote of the total number of the Council members, unless the law provides otherwise. In case of a tie of votes, the vote of the Council Chairman shall be decisive, except for the case stipulated by Paragraph 4 of this Article.

4. When imposing disciplinary liability upon judges, the Supreme Judicial Council shall act as a court.
5. The Supreme Judicial Council shall form its staff in accordance with the procedure prescribed by law.
6. The rules of formation and rules of procedure of the Supreme Judicial Council shall be prescribed by the Constitution and Judicial code.

## **Chapter 8**

### **THE PROSECUTION OFFICE AND THE INVESTIGATIVE ORGANS**

#### ***Article 175. The Prosecution Office***

1. The prosecution office is a unified system that is led by the Prosecutor General.
2. The prosecution office shall, in the case and procedure prescribed by law:
  - 1) Initiate criminal prosecution;
  - 2) Supervise the lawfulness of the pre-trial proceedings;
  - 3) Defend the charges in court;
  - 4) Initiate a claim in court for the protection of state interests;
  - 5) Appeal the rulings, judgments, and decisions of courts; and
  - 6) Supervise the lawfulness of enforcement of sentences and other coercive measures.
3. The prosecution office shall operate within the framework of the powers reserved for it by the Constitution, on the basis of law.
4. The procedure of organization and operation of the prosecution office shall be prescribed by law.

#### ***Article 176. The Prosecutor General***

The prosecutor general shall, in accordance with the procedure prescribed by law, be appointed by the National Assembly for a six-year term by at least a three-fifths majority vote of the total number of parliamentarians. The same person may not be appointed as prosecutor general for more than two consecutive terms.

In cases provided by law, the National Assembly may dismiss the prosecutor general by at least a three-fifths majority vote of the total number of parliamentarians.

#### ***Article 177. The Investigative Organs***

1. The investigative organs shall organize the performance of pre-trial investigation within the framework of the pre-trial proceedings.
2. The powers of investigative organs and the procedure of their organization and operation shall be prescribed by law.

## **Chapter 9**

### **LOCAL SELF-GOVERNMENT BODIES**

#### ***Article 178. Local Self-Government***

1. Local self-government is the right and ability of local self-government bodies to solve public issues of community significance under its own responsibility, in the interests of the community residents, and in accordance with the Constitution and the laws.
2. Local self-government shall be exercised in the communities.

#### ***Article 179. Community***

1. A community is the totality of the population of one or several settlements, and an administrative-territorial unit.
2. A community shall be a legal entity in public law.

**Article 180. Bodies of Local Self-Government**

1. The bodies of local self-government are the community council and the community mayor, which shall be elected for a five-year term. Law may prescribe direct or indirect election of the community mayor.
2. In the procedure prescribed by law, the community council shall adopt legal acts that shall be subject to execution in the territory of the community.
3. The community mayor shall carry out the council's decisions, manage the community staff and municipal organizations. The community mayor shall be accountable before the council.
4. The election procedure and powers of the local self-government bodies shall be prescribed by law.

**Article 181. Powers of Local Self-government Bodies**

1. Local self-government bodies may have own powers—for performing mandatory and optional functions, as well as powers delegated by the state. The mandatory objectives of local self-government bodies shall be prescribed by law, and the optional ones—by decisions of the community council.
2. For the more effective performance of the powers of state bodies, they may by law be delegated to local self-government bodies.

**Article 182. Direct Participation in the Administration of Community Affairs**

1. The community residents may directly participate in the administration of community affairs by solving public issues of community significance through a local referendum.
2. The procedure of conducting a local referendum and other modes of direct participation of community residents in the administration of community affairs shall be prescribed by law.

**Article 183. Community Ownership**

1. A community shall have the right of ownership of land and other property.
2. Land located within the administrative boundaries of a community, with the exception of land owned by the state or natural persons or legal entities, shall be in the ownership of the community.
3. The community council shall dispose the community ownership in accordance with the procedure prescribed by law.

**Article 184. Community Budget; Local Taxes, Duties, and Fees**

1. A community shall have its budget, which shall be adopted by the community council upon presentation by the community mayor.
2. The procedure of community budget revenue formation and expenditure execution shall be prescribed by law.
3. Within the limits of rates prescribed by law, the community council shall set local taxes and duties.
4. A community may set fees paid to the community budget in return for services provided by the community.

**Article 185. Financing of Local Self-government Bodies' Powers**

1. For the exercise of mandatory functions of communities, the law shall define such sources that are necessary for ensuring the performance of such functions.
2. The powers delegated to communities by the state shall be subject to mandatory financing from the state budget.
3. To the extent its resources permit, the state shall allocate funds for ensuring the proportionate development of communities.

**Article 186. Local Self-Government in the City of Yerevan**

Yerevan is a community. The peculiarities of local self-government in the City of Yerevan shall be prescribed by law.



**Article 187. Legal and Professional Oversight**

1. The Government and authorized bodies under the Government shall, in the cases and procedure prescribed by law, perform legal oversight of the exercise of the community's own powers.
2. The Government and authorized bodies under the Government shall, in the cases and procedure prescribed by law, perform legal and professional oversight of the exercise of powers delegated by the state.

**Article 188. Inter-Community Unions**

1. To improve the efficiency of local self-government, communities may unite in an inter-community union. In view of public interests, inter-community unions may also be created by law.
2. An inter-community union may exercise only such powers that are reserved for it by law or by decisions of the communities.
3. An inter-community union shall be a legal entity in public law.

**Article 189. Merger of Communities**

In view of public interests, communities may be merged by law. When adopting the respective law, the National Assembly shall be obliged to listen to the opinion of the communities concerned.

**Chapter 10.  
THE HUMAN RIGHTS DEFENDER**

**Article 190. Functions and Powers of the Human Rights Defender**

1. The Human Rights Defender shall be an independent official, who shall follow the respect for human rights and freedoms by state and local self-government bodies and officials, and shall facilitate the restoration of violated rights and the improvement of the legislation related to human rights and freedoms.
2. Powers related to respect for human rights and freedoms in other spheres may by law be reserved for the Human Rights Defender.
3. State and local self-government bodies and officials shall be obliged to provide the necessary documents, information, and clarifications to and support the work of the Human Rights Defender in the procedure prescribed by law.
4. The Human Rights Defender shall present to the National Assembly an annual report on his activities and on the situation of protection of human rights and freedoms. The report may contain recommendations on legislative changes or other measures.
5. The powers, procedure of activities, and other safeguards of the activities of the Human Rights Defender shall be prescribed by the Law on the Human Rights Defender.

**Article 191. Independence of the Human Rights Defender**

1. In exercising his powers, the Human Rights Defender shall be independent.
2. The state shall secure proper financing for the activities of the Human Rights Defender.
3. The Human Rights Defender shall enjoy the immunity prescribed for a parliamentarian. The National Assembly may deprive the Human Rights Defender of immunity by at least a three-fifths majority vote of the total number of the parliamentarians in the procedure prescribed by law.

**Article 192. Election of and Requirements on the Human Rights Defender**

1. The National Assembly shall elect the Human Rights Defender for a six-year term by at least a three-fifths majority vote of the total number of the parliamentarians. The Human Rights Defender shall be irremovable.
2. Any citizen of the Republic of Armenia, who is held in high esteem among the public, has higher education, and meets the requirements stipulated for a parliamentarian, may be elected as the Human Rights Defender.

3. The incompatibility provisions stipulated by the Constitution for parliamentarians shall apply to the Human rights Defender.
4. The Human Rights Defender may not be a member of any party or engage in any form in political activities during his term in office. In public speeches he shall exercise political restraint.

## **Chapter 11 THE CENTRAL ELECTORAL COMMISSION**

### ***Article 193. Functions and Powers of the Central Electoral Commission; System of Electoral Commissions***

1. The Central Electoral Commission is an independent state body, which shall organize the elections of the National Assembly, the President of the Republic, and local self-government bodies, as well as referenda, and shall supervise their lawfulness.
2. In the cases and procedure stipulated by law, the Central Electoral Commission shall adopt sub-legislative normative legal acts.
3. The Central Electoral Commission shall present a communication about its activities to the National Assembly.
4. The system of electoral commissions and their powers, procedure of formation and operation, and safeguards of activities shall be prescribed by the Electoral Code.

### ***Article 194. Formation Procedure and Composition of the Central Electoral Commission***

1. The Central Electoral Commission shall consist of seven members.
2. The Central Electoral Commission chairman and other members shall be elected by the National Assembly for a six-year term by at least a three-fifths majority vote of the total number of parliamentarians. The same person may not be elected as a member, including chairman, of the Central Electoral Commission for more than two consecutive terms.
3. Every citizen who has higher education and meets the requirements for a parliamentarian may be elected as a member of the Central Electoral Commission.
4. The incompatibility provisions stipulated by the Constitution for parliamentarians shall apply to members of the Central Electoral Commission.
5. During their term in office, members of the Central Electoral Commission may not be members of any party or engage in political activities in any way. In public speeches they shall exercise political restraint.
6. In case of violating any requirement of Paragraphs 4 or 5 of this Article, the powers of a member of the Central Electoral Commission shall be terminated by the National Assembly by at least a three-fifths majority vote of the total number of parliamentarians.

## **Chapter 12 THE TELEVISION AND RADIO COMMISSION**

### ***Article 195. Functions and Powers of the Television and Radio Commission***

1. The Television and Radio Commission is an independent state body, which shall oversee respect for the freedom to express opinions and the freedom of information in television and the radio and shall protect such media from unlawful interference.
2. The Television and Radio Commission shall allocate air frequencies by public and competitive procedure.
3. The Television and Radio Commission shall supervise the expression, in public radio and television, of various opinions that exist in society and ensuring the plurality of programs of information, educational, cultural, and entertainment content.
4. The Television and Radio Commission shall present to the National Assembly an annual communication about its activities and about the freedom of information situation in television and the radio.
5. In the cases and procedure stipulated by law, the Television and Radio Commission shall adopt sub-legislative normative legal acts.

6. The powers, as well as procedure and safeguards of activities of the Television and Radio Commission shall be prescribed by law.

**Article 196. Formation Procedure and Composition of the Television and Radio Commission**

1. The Television and Radio Commission shall consist of seven members.
2. The members of Television and Radio Commission shall be elected by the National Assembly for a six-year term by at least a three-fifths majority vote of the total number of parliamentarians. From among its members, the Television and Radio Commission shall elect the Commission chairman. The same person may not be elected as a member, including chairman, of the Television and Radio Commission for more than two consecutive terms.
3. Every citizen who has higher education, meets the requirements for a parliamentarian, and is a reputed specialist in the field of mass news media, may be elected as a member or chairman of the Television and Radio Commission. Additional requirements may be prescribed by law for the Commission members.
4. The incompatibility provisions stipulated by the Constitution for parliamentarians shall apply to members of the Television and Radio Commission.
5. During their term in office, members of the Television and Radio Commission may not be members of any party or engage in political activities in any way. In public speeches they shall exercise political restraint.
6. In case of violating any requirement of Paragraphs 4 or 5 of this Article, the powers of a member of the Television and Radio Commission shall be terminated by the National Assembly by at least a three-fifths majority vote of the total number of parliamentarians.

**Chapter 13  
THE CONTROL CHAMBER**

**Article 197. Functions and Powers of the Control Chamber**

1. The Control Chamber is an independent state body that shall supervise the lawful and efficient utilization of state and municipal budget funds, loans and borrowings received, as well as the state- and community-owned property, in the field of public finance and public ownership. The Control Chamber may conduct inspections of legal entities only when the state has a significant participation in such entities or in relation to such financial resources, which they have received from the state or when the state has issued guarantees for their liabilities.
2. The Control Chamber shall operate based on its program, which was approved by it.
3. The Control Chamber shall present to the National Assembly:
  - 1) An annual communication about its activities;
  - 2) A conclusion about the execution of the state budget; and
  - 3) Interim conclusions—in cases prescribed by law.
4. The powers, procedure of operation, and safeguards of activities of the Control Chamber shall be prescribed by law.

**Article 198. Formation Procedure and Composition of the Control Chamber**

1. The Control Chamber shall consist of seven members.
2. The Control Chamber chairman and other members shall be elected by the National Assembly for a six-year term by at least a three-fifths majority vote of the total number of parliamentarians. The same person may not be elected as a member, including chairman, of the Control Chamber for more than two consecutive terms.
3. Every citizen who has higher education and meets the requirements for a parliamentarian may be elected as a member of the Control Chamber. Additional requirements may be prescribed by law for members of the Chamber.
4. The incompatibility provisions stipulated by the Constitution for parliamentarians shall apply to members of the Control Chamber.

5. During their term in office, members of the Control Chamber may not be members of any party or engage in political activities in any way. In public speeches they shall exercise political restraint.
6. In case of violating any requirement of Paragraphs 4 or 5 of this Article, the powers of a member of the Control Chamber shall be terminated by the National Assembly by at least a three-fifths majority vote of the total number of parliamentarians.

## **Chapter 14 THE CENTRAL BANK**

### ***Article 199. Main Objectives and Functions of the Central Bank***

1. The national bank of the Republic of Armenia is the Central Bank. The Central Bank shall be independent in the performance of functions reserved for it by the Constitution and by law.
2. The main objectives of the Central Bank are to maintain price stability and financial stability.
3. The Central Bank shall elaborate, approve, and implement the monetary policy programs. The Central Bank shall issue the currency of the Republic of Armenia—the Armenian dram.
4. In the cases and procedure prescribed by law, the Central Bank shall adopt sub-legislative normative legal acts.
5. The Central Bank shall present an annual statement to the National Assembly about the accomplishment of its main objectives.
6. The other objectives of the Central Bank, its governing bodies, their powers and the procedure of their operation, the powers and operation procedure of the Chairman, and the safeguards of their activities shall be prescribed by law.

### ***Article 200. The Chairman of the Central Bank***

1. The Chairman of the Central Bank shall be elected by the National Assembly by at least a three-fifths majority vote of the total number of parliamentarians for a six-year term. The same person may not be elected as Chairman of the Central Bank for more than two consecutive terms.
2. A citizen who has higher education and meets the requirements on a parliamentarian may be elected as the Chairman of the Central Bank. The Chairman of the Central Bank shall be subject to the incompatibility provisions prescribed by the Constitution for parliamentarians. The law may prescribe additional requirements for the Chairman of the Central Bank.
3. During his term in office, the Chairman of the Central Bank may not be a member of any party or otherwise engage in political activities. In public speeches, he shall exercise political restraint.
4. In case of violating any of the terms of Paragraphs 2 or 3 of this Article, the powers of the Chairman of the Central Bank shall be terminated by the National Assembly by at least a three-fifths majority vote of the total number of parliamentarians.

## **Chapter 15 ADOPTING AND AMENDING THE CONSTITUTION; THE REFERENDUM**

### ***Article 201. Adopting and Amending the Constitution***

1. The Constitution shall be adopted, and Chapters 1-3, 7, 10, and 15, as well as Articles 88-89, Paragraph 1 of Article 90, Paragraph 2 of Article 103, and Articles 108, 115, 119-120, 123-125, 145, 148, and 154 of the Constitution shall be amended, only through a referendum. The right of the respective initiative shall belong to at least one third of the total number of parliamentarians, the Government, or 200,000 citizens having the right of suffrage. The National Assembly shall adopt a decision on putting a draft to the referendum by at least a two-thirds majority vote of the total number of parliamentarians.
2. Save for the Articles listed in Paragraph 1 above, amendments to the other Articles of the Constitution shall be adopted by the National Assembly by at least a two-thirds majority vote of the total number of parliamentarians. The right of the respective initiative shall belong to at least

one quarter of the total number of parliamentarians, the Government, or 150,000 citizens having the right of suffrage.

3. If draft amendments to the Constitution stipulated by Paragraph 2 of this Article are not adopted by the National Assembly, then a decision on putting it to the referendum may be adopted by at least a three-fifths majority vote of the total number of parliamentarians.

**Article 202. Unamendable Articles of the Constitution**

Articles 1, 2, 3, and 202 of the Constitution shall not be amended.

**Article 203. Referendum on Law Draft Submitted on Popular Initiative**

1. If the National Assembly rejects the draft law submitted on popular initiative, then a referendum shall be set in case if more three hundred thousand citizens join the initiative of the submitted law draft within a sixty-day period after the rejection and if the Constitutional Court decides that the given draft conforms to the Constitution.

2. Central Electoral Commission shall approve the validity of the signatures of the members of the popular initiative.

3. Laws adopted through a referendum may be amended only through a referendum. Such an amendment may be done only one year after the adoption of a given law.

3. No referendum shall be held on law drafts, that concern:

- 1) Constitutional laws;
- 2) State budget, taxes, duties, other compulsory fees, as well as laws which establish significant financial commitments;
- 3) Amnesty;
- 4) State protection and security;
- 5) Ratification, suspension and renunciation of international treaties.

**Article 204. Referendum on Membership of the Republic of Armenia in Supranational International Organizations and on Question concerning the Territorial Integrity of the Republic of Armenia**

The question of membership of the Republic of Armenia in supranational international organizations, as well as concerning the territorial integrity of the Republic of Armenia shall be solved through a referendum.

**Article 205. Referendum Set by the President of the Republic**

The President of the Republic shall set the referendum within no earlier than 50 and no later than 65 days of adoption of the respective decision.

**Article 206. Adoption of Drafts Put to a Referendum**

A draft put to a referendum shall be adopted if it is voted for by more than half of the referendum participants, but no less than one quarter of the citizens that have the right to participate in referenda.

**Article 207. Prohibition of Conducting a Referendum**

A referendum shall not be conducted during martial law or a state of emergency.

**Chapter 16  
FINAL AND TRANSITIONAL PROVISIONS**

**Article 208. Entering into Force of Separate Provisions of the Constitution**

1. Chapters 1-3, Paragraph 2 of Article 103, Chapter 9, except for time period specified in the provision of the first sentence of Paragraph 1 of Article 180 and the provision in the last sentence of Paragraph 3 of Article 180, as well as Chapter 10 of the Constitution shall enter into force on the day following the publication in the "Official Bulletin of the Republic of Armenia".

2. The provisions of Chapter 4 of the Constitution amended in 2005, except for Article 83.5, shall be in force until the opening day of the first session of the next convocation of the National Assembly.

3. The provisions of Articles 88, 90-102, Paragraphs 1 and 3-4 of Article 103, Articles 104-107, 108-112, Paragraph 1 of Article 113, Articles 114, 116, 121, the first sentence of Paragraph 1 of Article 180 and in the last sentence of Paragraph 3 of Article 180 shall enter into force on the opening day of the first session of the next convocation of the National Assembly. Starting from the opening day of the first session of the next convocation of the National Assembly until the assumption of the office by the newly-elected President of the Republic the provisions of the relevant articles prescribed by the Constitution amended in 2005 shall continue to be in force.

4. Paragraph 1-4 and 6 of Article 89 of the Constitution shall enter into force at the moment of the entry into force of the new Electoral Code.

5. Chapter 11 of the Constitution shall enter into force on June 1, 2016.

6. The provisions of Paragraph 5 of Article 89, Article 108, Paragraph 2 of Article 113, Articles 115, 117-120, 122, as well as Chapters 5-8, 12-15 shall enter into force at the assumption of the office by the newly-elected president of the Republic. Meanwhile the provisions of the relevant articles, prescribed by the Constitution amended in 2005, shall continue to be in force.

**Article 209. Harmonization of Laws with the Amendments to the Constitution**

1. The National Assembly shall, within reasonable terms, harmonize the extant laws with the Constitution;

2. The Electoral Code shall be harmonized with the Constitution and shall enter into force on June 1, 2016.

3. The Rules of Procedure of the National Assembly, the Constitutional Law on Parties and the Constitutional Law on Human Right Defender shall be harmonized with the Constitution and shall enter into force until the opening day of the first session of the next convocation of the National Assembly.

4. Other constitutional laws shall be harmonized with the Constitution by at least a three-fifths majority vote of the total number of the members of the parliamentarians and shall enter into force on the day of the assumption of the office by the newly-elected President of the Republic.

5. The Law on Local Self-Government shall be harmonized with the Constitution and shall enter into force on the opening day of the first session of the next convocation of the National Assembly.

6. Laws on Prosecutor's office, Television and Radio, Control Chamber and Central Bank shall be harmonized with the Constitution and shall enter into force at the assumption of the office by the newly-elected President of the Republic.

**Article 210. The Convocation Term of the College of Electors**

The College of Electors shall be convened no earlier than 30 days and no later than 40 days before the end of the term of office of the President of the Republic.

**Article 211. The Office of the Chairman and Members of the Constitutional Court**

Prior to the entry into force of Chapter 7 of the Constitution the assigned (elected) chairman and members of the Constitutional Court continue to serve until the end of the term of their office prescribed by the Constitution amended in 2005.

**Article 212. The Office of the Judges, the Chairmen of the Chambers of the Cassation Court and the Chairmen of Courts**

1. Prior to the entry into force of Chapter 7 of the Constitution the assigned judges continue to serve until the end of the term of their office prescribed by the Constitution amended in 2005.

2. Prior to the entry into force of Chapter 7 of the Constitution the assigned chairmen of the chambers of the Cassation Court and the chairmen of the courts continue to serve until the assignment of chairmen of the chambers of the Cassation Court and the chairmen of the courts in the procedure and terms prescribed by Article 164 of the Constitution, which shall be carried out not later than within six months after the formation of the Supreme Judicial Council.

3. If prior to the entry into force of Chapter 7 of the Constitution the assigned chairmen of the courts as well as the chairmen of the chambers of the Cassation Court are not assigned as the chairmen of the corresponding courts and the chambers of the Cassation Court in the procedure and terms prescribed by Article 164 of the Constitution, they continue their office in the corresponding courts as judges.

***Article 213. The Formation of the Supreme Judicial Council***

The powers of the members of the Justice Council shall be terminated with the formation of the Supreme Judicial Council. The Supreme Judicial Council shall be formed not later than within two months after the assumption of the office by the newly-elected president of the Republic. The National Assembly and the General Assembly of Judges shall elect the relevant three members of the first composition of the Supreme Judicial Council for a five-year term and the two members for a three-year term.

***Article 214. The Office of the Prosecutor General***

Prior to the entry into force of Chapter 7 of the Constitution the assigned Prosecutor General shall continue to serve until the end of the term of his office prescribed by the Constitution amended in 2005.

***Article 215. The Office of the Community Mayor and the Members of the Community Council***

Prior to the entry into force of the term prescribed in the first sentence of Paragraph 1 of Article 180 the elected community mayor and the members of the Community Council shall continue to serve until the end of the term of their office prescribed by the Constitution amended in 2005. The provision prescribed in the last sentence of Paragraph 3 of Article 180 shall be applied after the election of local self-government bodies conducted after the entry into force of the Law on Local Self-Government.

***Article 216. The Office of the Human Rights Defender***

Prior to the entry into force of Chapter 10 of the Constitution the assigned Human Rights Defender shall continue to serve until the end of the term of his office prescribed by the Constitution amended in 2005.

***Article 217. The Formation of the Central Electoral Commission***

Central Electoral Commission shall be formed in the procedure prescribed by Chapter 11 of the Constitution until November 1, 2016. Prior to the entry into force of Chapter 11 of the Constitution the powers of the members of the Central Electoral Commission shall be terminated with the formation of the Central Electoral Commission.

***Article 218. The Office of the Bodies Prescribed by Chapters 12-13 of the Constitution***

After the entry into force of Chapters 12-13 of the Constitution the members of those bodies shall continue to serve until the end of the term of their office prescribed by the Constitution amended in 2005.

***Article 219. The Office of the Chairman of the Central Bank***

Prior to the entry into force of Chapter 14 of the Constitution the assigned Chairman of the Central Bank shall continue to serve until the end of the term of his office prescribed by the Constitution amended in 2005.